LEED During RFP Development

Appendices B and C of USACE LEED Implementation Guide contain sample RFP language for regular and COS Multiple Contractor RFPS

Review of MILCON Transformation (MT) Concept

- Performance RFP, not prescriptive
- Industry Standards
- Uniform RFP all USACE Districts (mandatory MT RFP wizard)

RFP sample text in this presentation is taken from MT RFP wizard. MT RFP wizard is at https://ff.cecer.army.mil/rfp_wizard/. Contact Susan Nachtigall at ERDC-CERL for access privileges. The website has a sample for review available without access privileges.

Statement of Work

- Identify minimum LEED rating (Silver)
- Identify buildings in the project that are exempt from LEED Silver (non-climate controlled)
- If project has more than one building, require use of LEED Application Guide for Multiple Buildings and On-Campus Building Projects (AGMBC) for scoring

Statement of Work

- Indicate if LEED **registration**/use of LEED Letter Templates is required
  - Beginning FY09, registration is required for ALL projects with LEED Silver requirement (ECB 2008-27)
  - Indicate who registers project and pays fee ($450), indicate who administers online project
- If project is exempt from LEED Silver, PDT may still require registration (documentation format for the points that will be earned)
- If registration is not required, always permit Contractor the option to register project and use LEED Letter Templates

Registered Project Administration Options

- DB Contractor to register and administer.
- Government register and administer (furnish applicable templates to DB Contractor to fill in and return).
- Third party (RFP preparer or LEED consultant) to register and administer through closeout (coordination requirements must be in RFP, consider consultant services if seeking USGBC certification).
- Special case for COS Multiple Contractor Combined Project (to follow).

Staffing, third party contract issues depending on how handled.

Statement of Work

- Indicate if **USGBC Certification** is required
  - Beginning FY09, Army & Air Force will select projects that require USGBC certification (5% total program)
- If certification is required, indicate who is responsible for paying certification fee ($2,000 to $20,000, based on sf), coordinating with USGBC, obtaining certification (Contractor, Government or Government's consultant)
- Certification is in addition to, does not replace Government Validation
- If certification by Contractor is not required, always have default language requiring Contractor support of certification at no added cost if Government chooses to seek it

Statement of Work - Registration

Statement of Work paragraph "LEED Credit Validation"

If registration is not required:
USGBC registration and use of the LEED Letter Templates is not required. Contractor has the option to register the project and use the LEED Letter Templates. In this case, payment of registration fees and administration of the online project will be by the Contractor.

If registration is required:
USGBC registration and use of the LEED Letter Templates is required. Registration and payment of registration fees will be by the [Contractor] [Government]. Administration of the online project will be by the [Contractor] [Government].

Statement of Work - Certification

Statement of Work paragraph "LEED Credit Validation"

If certification is not required:
Validation of credits will be accomplished by the Government. USGBC certification of the project by the Contractor is not required. The Government may choose to seek USGBC certification of the project, in which case the Government will pay certification fees and coordinate with USGBC and the Contractor will furnish audit data as requested at no additional cost.

If certification is required:
Validation of credits will be accomplished by the Government. USGBC certification of the project by the Contractor is required. The Contractor will obtain USGBC certification prior to project closeout. Application, payment of certification fees and all coordination with USGBC during the certification process will be by the Contractor. USGBC interim review of design phase data is not required by the Government but is recommended.

Statement of Work

- Tell Proposers the status of LEED credits that are outside the scope of the DB project
  - **SS1 Site Selection (proximity to wetlands & 100 year flood elevation, prime farmland, parkland)**
  - **SS2 Development Density & Community Connectivity (neighborhood density or proximity to 10ea listed basic services)**
  - **SS3 Brownfield Redevelopment**
  - **SS4.1 Alternative Transportation: Public Transportation Access (distance from 2 bus line stops or 1 commuter rail stop)**
  - **EA6 Green Power (purchase of green power for facility)**
- Option: SS5.2 Site Development: Maximize Open Space (AGMBC allows consolidated remote open space – must be coordinated in advance with Installation)

Don't make each Proposer research this independently or guess

Statement of Work

- Indicate **mandatory credits**
  - MR2.1 50% Waste Diversion
  - EA1 Optimize Energy Performance (points associated with EPACT compliance)
    - EPACT % calculations use energy units, exclude process loads. LEED % calculations use $, include process loads – must do additional calculations for LEED
    - CERL EPACT prescriptive compliance path (no calculations required) for certain standard design buildings ("Technology Solution Set" included in MT RFP wizard) – they are adding summary & process load data to these to allow LEED calculations when using Technology Solution Set (POC is Dale Herron at ERDC)
    - RFP must provide utility cost data

Statement of Work

- Indicate **preferred credits** using LEED Project Credit Guidance Appendix
  - Not all credits, not 33 credits
  - Just what Inst. feels strongly about
  - Recommend use multiple 1s, 2s and 3s
  - Blank = no preference
  - X = preference not applicable (site selection credits)

PAR	FEATURE	LEED 2.2 Credit Paragraph	Army Guidance: Required - Preferred - Avoid	Project Preference Ranking: (1=most preferred, blank=no preference, X=preference not applicable to this credit, Rqd=required)	REMARKS
		LEED Project Credit Guidance			
CATEGORY 1 - SUSTAINABLE SITES (14 POSSIBLE POINTS)					
SSPR1	Construction Activity Pollution Prevention (PREREQUISITE)		Rqd	Rqd	All LEED prerequisites are required to be met. Related to compliance with 40 CFR 122.26 (Clean Water Act).
SS1	Site Selection			X	See paragraph LEED CREDITS COORDINATION for information relating to this credit.

Statement of Work

- Indicate Proposer **assumptions info** for some credits using LEED Project Credit Guidance Appendix
  - Revise appendix text for project-specific variations
- Include this appendix even when there are no preferred credits
- Download template at MT wizard website (Appendix L)

EA3	Enhanced Commissioning			during design phase and continue well beyond beneficial occupancy. Assume Government will not provide CxA post-occupancy activities unless indicated otherwise.
EA4	Enhanced Refrigerant Management			
EA5	Measurement & Verification			Credit relates to EPACT metering requirements. Provider and funding of post-occupancy activities must be coordinated. Assume Government will not provide post-occupancy activities unless indicated otherwise.
EA6	Green Power		X	Credit is determined by Installation's purchase of green power. See paragraph LEED CREDITS COORDINATION for information relating to this credit.

Statement of Work

- Provide EAPR1 Fundamental Commissioning Owner's Project Requirements (OPR) Document (required for LEED documentation)
  - Appendix to RFP - One OPR for each non-exempt building in project
  - For standard designs obtain OPR from COS
  - For non-standard designs RFP Preparer develops OPR
  - USACE template document available at http://en.sas.usace.army.mil, "Engineering Criteria"
  - When preparing OPR recommend refer to Statement of Work as much as possible to avoid conflicts

Special Construction Waste Management Requirements

- **SWAR** is Army solid waste reporting system – need to furnish Contractor's quarterly and closeout waste diversion reports to Installation SWAR coordinator – language for this is included in MT template for Section ENVIRONMENTAL PROTECTION
- Quarterly report requirement is also included in LEED Documentation & Submittals Checklist

Special Recycled Content Requirements: EPA Comprehensive Procurement Guidelines (CPG)

- Contributes to LEED recycled content, but must always be done regardless of LEED
- UFGS 01 62 35 RECYCLED/RECOVERED MATERIALS – INCLUDE IN ALL PROJECTS (DB version)

LEED Documentation

- "Certifiable" project is the requirement
  - Apply USGBC standards of interpretation
  - Match USGBC documentation requirements
  - Requirements included in RFP Sections "Design After Award" and "Design Build Project Closeout"

Design After Award Section

- Require LEED AP design through closeout
- Require incorporation of LEED requirements in drawings and specs
- Require LEED Project Checklist, LEED documentation as separable part of Design Analysis
- Require submittals to conform to LEED Documentation Requirements and Submittals Checklist
  - Include LEED Documentation Requirements and Submittals Checklist as attachment to section
- Government right to audit any credit
- Provide evidence of USGBC certification & install plaque at closeout if certification is required

Design After Award Spec – Sample MT Language

3.5.2.1 LEED Documentation:

The Contractor shall assign a LEED Accredited Professional, responsible to track LEED planning, performance and documentation for each LEED credit through construction closeout. Incorporate LEED credits in the plans, specifications and design analyses. Develop LEED supporting documentation as a separable portion of the Design Analysis and provide with each required design submittal. Include the LEED Project checklist for each non-exempt facility (one checklist may be provided for multiple facilities in accordance with the LEED-NC Application Guide for Multiple Buildings and On-Campus Building Projects) and the LEED 2.2 Documentation Requirements and Submittals Checklist (Attachment E, herein) with each submittal. Final design submittal for each portion of the work must include all required design documentation relating to that portion of work (example - all site credit design documents with final site design). Submittal requirements are as indicated in Attachment E, LEED 2.2 Documentation Requirements and Submittals Checklist. Submit all documentation at final design (for fast-track projects with multiple final design submittals, this shall be at the last scheduled final design submittal). All project documentation related to LEED shall conform to USGBC requirements for both content and format, including audit requirements and be separate from other design analyses. The Contractor shall maintain and update the LEED documentation throughout project progress. The designers of record shall prepare and present LEED documentation with calculations and other data necessary to substantiate and support all design documents submitted. The Government may audit any or all individual credits. Provide the additional documentation marked "Provide for Credit Audit Only" in LEED 2.2 Documentation Requirements and Submittals Checklist if requested for any individual credit. Audit documentation is not required unless requested.

LEED Documentation Requirements and Submittals Checklist

- Point by point what and when required (for both design and construction)
- Follows USGBC with exceptions noted (USGBC interest versus USACE interest)
- Excel spreadsheet located at http://en.sas.usace.army.mil, “Engineering Criteria”
- Include in RFP as an attachment to Design After Award section

LEED Documentation Requirements and Submittals Cl

Project Name
Project Location

LEED 2.2 Documentation Requirements and Submittals Checklist

Project Number
Submittal Name

LEED Credit Paragraph	Contractor Check Here if Credit is Claimed	LEED 2.2 Documentation Requirements and Submittals Checklist for Government-Validated Project		Provide for Credit Audit Only		Date Submitted (to be filled in by Contractor)	Government Reviewer's Use - Comments/Approved
PAR		FEATURE	DUE AT		REQUIRED DOCUMENTATION	DATE	REV
GENERAL							
	GENERAL - All calculations shall be in accordance with LEED 2.2 Reference Guide.						
	GENERAL: Obtain excel version of this spreadsheet at http://en.sas.usace.army.mil, "Engineering Criteria".						
	GENERAL - For all credits, narrative/comments may be added to describe special circumstances or considerations regarding the project's credit approach.						
	GENERAL - Include all required LEED drawings indicated below in contract drawings with applicable discipline drawings, labeled For Reference Only.						
	NOTE: Each submittal indicated with "**" differs from USGBC certified project submittals by either having a different due date or being an added submittal not required by USGBC.						
			Closeout		List of all Final Design submittals revised after final design to reflect actual closeout conditions. Revised Final Design submittals. - OR - Statement confirming that no changes have been made since final design that effect final design submittal documents.		
CATEGORY 1 - SUSTAINABLE SITES							
SSPR1		Construction Activity Pollution Prevention (PREREQUISITE)	**Final Design		List of drawings and specifications that address the erosion control, particulate/dust control and sedimentation control measures to be implemented.		
			**Final Design		Narrative that indicates which compliance path was used (NPDES or Local standards) and describes the measures to be implemented on the project. If a local standard was followed, provide specific information to demonstrate that the local standard is equal to or more stringent than the NPDES program.		

Construction Closeout Submittals Section

- Require documentation updated monthly during construction and always available at jobsite for review
- Closeout submittal is LEED Project Checklist, All LEED documentation, completed LEED Documentation Requirements and Submittals Checklist – falls under “Other As-Builts”
- Require LEED Review meetings before and after closeout submittal
  - Include all parties at meeting including Installation representative
  - Formal endorsement of final score by all parties at closeout review meeting

- **Sample MT language (Section CLOSEOUT SUBMITTALS)**

LEED REVIEW MEETINGS

Pre-Closeout Meeting. Approximately 30 days before submittal of LEED closeout documentation, the Contractor and the Government's project delivery team (including Installation representative) will meet to review the documentation, determine which, if any, credits will be audited and identify any corrections/missing items prior to the closeout LEED documentation submittal.

Approximately 14 days after submittal of LEED closeout documentation, the Contractor and the Government's project delivery team (including Installation representative) will meet to review the LEED closeout documentation. The review conference will include discussion of and resolution of all review comments to ensure consensus on achievement of credits and satisfactory documentation. At the review conference a final score will be determined and endorsed in writing by all parties.

Offeror Proposal

- **Qualifications Proposal**:
  - Require description of LEED or SPIRIT experience in SPECIALIZED EXPERIENCE, SUBMISSION REQUIREMENTS, SUPPLEMENTAL NARRATIVE
  - Give evaluation preference to teams demonstrating successful USGBC project certification
- **Technical Proposal**:
  - Require LEED Project Checklist indicating proposed credits and total
  - Give evaluation preference to inclusion of credits indicated as preferred (in Appendix L LEED Project Credit Guidance)

Technical Evaluation

- Confirm mandatory, prohibited credits
- Request clarifications on inconsistencies between LEED points and other portions of proposal
  - Daylight, views points versus room layout & fenestration
  - 30% energy reduction versus building envelope/insulation
  - Bike rack/shower credit versus shower on plans
  - Site heat island credit versus shaded, porous & concrete pavement
  - Open space credit versus adjacent open space shown
  - Water use reduction credit versus proposed fixtures
- Confirm correct assumptions on credits that require post-occupancy activities
- Review proposed ID credits for consistency with USGBC standards (consult USGBC published catalog of approved ID credits at usgbc.org)

Make sure they have the Recycles Room!

Technical Evaluation – Who Does What

SAS

- Each technical discipline plus LEED reviewer
- Technical discipline reviewers review for claimed LEED points versus items within their discipline
  - Each discipline coordinates with LEED reviewer on discipline-specific issues & comments made
- LEED reviewer reviews:
  - Overall points total
  - Mandatory & prohibited points
  - Correct assumptions on post-award activities
  - Proposed ID points
  - After coordination with disciplines, summarizes number of points required, number of acceptable points, number of unacceptable points and number of points requiring clarification. Also notes any missing prerequisites.

Conformed Proposal

- Conformed Proposal is a Prescribed Reporting Point
  - Formal endorsement by all parties INCLUDING INSTALLATION REPRESENTATIVE of LEED Project Checklist

Multiple Contractor Combined Project (COS)

- ONLY when buildings and their site work are constructed by different contractors

4 Types of LEED Credits

- Credits earned by the building
- Credits earned by the site
- Shared Building/Site Credits
- Aggregate Materials Credits (both building and site materials)

LEED is set up for building with site. When building and site are by separate parties, the Government must coordinate the building and site portions of the total score.

Multiple Contractor Combined Project

- Define the Multiple Contractor Combined Project by the **scope of the site work contract**
  - All buildings that have their site work done by the site work contract are part of the Combined Project
  - Includes buildings accomplished by the site work contractor

One Score with Multiple Contractors: LEED Strategy Tables

- Prepare one table for each building/building type in Combined Project. LEED Strategy Table conveys:
  - Government strategy to achieve LEED Silver (building and site combined)
  - Status of site selection credits (brownfield, etc)
  - The minimum number of credits that building CTR, site CTR must earn
  - Contractor permissions to substitute other credits for those indicated in Government's strategy
  - Division of responsibilities for shared credits and aggregate materials credits

When complete, the same table is used in building-only contract and site work contract

LEED Strategy Table – Standard Format

LEED Credit Paragraph	LEED 2.2 Strategy Table	Building CTR Substitution Permitted	Site CTR Substitution Permitted	Required Points Strategy	YELLOW ITEMS: GD please fill in indicating whether site will earn these credits and return to COS. GREEN ITEMS: GD please review and confirm feasibility/revise as needed and return to COS. BLUE ITEMS: GD please highlight any added building and shared points proposed.
BUILDING: BRIGADE/BATTALION HQ FACILITIES					
PAR	FEATURE				REMARKS
CATEGORY 1 – SUSTAINABLE SITES					
SSPR1	Construction Activity Pollution Prevention (PREREQUISITE)	NIC	NO	R	Site CTR is primary permittee. Building CTR is secondary permittee to primary permittee.
SS1	Site Selection	NIC	NO	1	Site CTR responsible.
SS2	Development Density & Community Connectivity	NIC	NO	N/A	Site CTR responsible.
SS3	Brownfield Redevelopment	NIC	NO	1	Site CTR responsible.
SS4.1	Alternative Transportation: Public Transportation Access	NIC	NO	N/A	Site CTR responsible.
SS4.2	Alternative Transportation: Bicycle Storage & Changing Rooms	NO	NO	1	Combined Bldg/Site credit. Site CTR responsible for bicycle storage. Building CTR responsible for shower/changing rooms.
	Alternative Transportation: Low				

LEED Strategy Tables

- Coordinate all tables in Multiple Contractor Combined Project to match for site work credits

SS4.3	OPTION 3	NO	NO		Combined Bldg/Site credit.
SS4.4	Alternative Transportation: Parking Capacity	NIC	YES	1	Site CTR responsible.
SS5.1	Site Development: Protect or Restore Habitat	NIC	YES	1	Site CTR responsible.
SS5.2	Site Development: Maximize Open Space	NIC	YES	1	Site CTR responsible.
SS8.1	Stormwater Design: Quantity Control	NIC	YES	1	Site CTR responsible.
SS8.2	Stormwater Design: Quality Control	NIC	YES	1	Site CTR responsible.
SS7.1	Heat Island Effect: Non-Roof	NIC	YES		Site CTR responsible.
SS7.2	Heat Island Effect: Roof	YES	NIC	1	Building CTR responsible.
SS8	Light Pollution Reduction	NO	NO	1	Combined Bldg/Site credit. Building CTR responsible for building lighting rqmts. Site CTR responsible for site lighting rqmts.
CATEGORY 2 – WATER EFFICIENCY					
WE1.1	Water Efficient Landscaping: Reduce	NIC	YES	1	Site CTR responsible.
WE1.2	Water Efficient Landscaping: No Potable Water Use or No Irrigation	NIC	YES		Site CTR responsible.

LEED Strategy Tables

- Coordinate division of responsibilities for materials credits

MR4.2	Recycled Content: 20% (post-consumer + 1/2 pre-consumer)	NO	NO		Combined Cumulative credit. Building CTR responsible for minimum 30% recycled materials. Site CTR responsible for minimum 1% recycled materials.
MR5.1	Regional Materials: 10% Extracted, Processed & Manufactured Regionally	NO	NO	1	Combined Cumulative credit. Building CTR responsible for minimum 3% regional materials. Site CTR responsible for minimum 30% regional materials.
					Combined Cumulative credit. Building CTR responsible for minimum 6%

- No substitutions permitted on shared or aggregate credits (they in effect become mandatory or prohibited)

RFP for Multiple Contactor Combined Project

- Identify as Combined Project in Statement of Work
- Include standard LEED Combined Project Instructions appendix (MT RFP Appendix N)
- Include LEED Strategy Table(s) appendix
  - Building-only RFP: strategy table for that building/building type
  - Site work RFP: strategy table for ALL BUILDINGS in Combined Project, INCLUDING buildings by site work contractor (Instructions appendix tells him he is both bldg & site CTR for that bldg)

Technical Evaluation of Proposals for Multiple Contractor Combined Project

- Proposers have devised many ways of showing division of LEED points & responsibilities – make sure they reflect shared responsibilities
- Many do not bother – just submit a LEED Registered Project Checklist (this is easiest to review)
- LEED reviewer:
  - Look at LEED Strategy Tables in RFP to determine this proposer's overall points total requirement (ex: BLDG plus shared – usually 25 or 26 points)
  - There are more mandatory & prohibited points on LEED Strategy table – look at permitted substitutions column
  - **Compare Strategy Table to proposal to see what was switched for what, and if it is an acceptable substitution.
  - Make sure any proposed substitutions and ID credits are completely within this contractor's scope of work

Full Design Contract for Site Work for Multiple Contactor Combined Project

- Include modified version of Section 01 33 29 LEED DOCUMENTATION, edited to convey Combined Project & Contractor responsibilities per LEED Strategy Tables (contact Judy Milton for local version)
- Include LEED Strategy Table(s) as attachment to 01 33 29
- Designer of Record incorporates LEED requirements in contract documents, provides LEED Documentation for Site Design credits

Multiple Contractor Combined Project: LEED Registrations and Compiling Project Documentation

- ALL Contractors are required to use LEED Letter Templates for consistent documentation format (including site work contractor)
- REGISTERED PROJECT is defined by scope of site work – site work and non-standard buildings get templates at Registered Project (registered by Site Contractor or Government)
- REGISTERED STANDARD DESIGNS are administered by COSs – standard design buildings get templates at Registered Standard Design (registered & administered by Government (COS))
- **All parties' completed templates compiled at Registered Project**
- Selected standard design completed templates are also compiled at Registered Standard Design for future use.

Multiple Contractor Combined Project: Combining the Documentation from All Contractors

- Each contactor provides LEED documentation only for his portion of the work
- Government compiles the data from all contractors in the combined project
  - Government must administer REGISTERED PROJECT during construction (DB site work contractor may administer during design – this is – SHARED ADMINISTRATION in MT) (explained in MT RFP Appendix N)
- New option added to MT wizard Dec 08 to make site work contractor do the compiling of data from all contractors (Land Development Contractor/Site Integrator)

Questions, Feedback

- Statement of Work
- Design After Award
- Closeout
- Offeror Proposal
- Technical Evaluation, Conformed Proposal
- Multiple Contractor Combined Projects (COS)